

REMARKS

Claims 1-21 are pending and stand rejected in the application. This communication amends claims 1, 3-9, and 11-18, and cancels claims 19-21.

1. Claims 4-8 and 12-18 stand objected to under 37 CFR 1.75(c) as being in improper form because they are multiple dependent and depend from other multiple dependent claims. In response, claims 3-8 and 11-18 have been amended to eliminate multiple dependencies. Accordingly, withdrawal of this objection is respectfully urged and consideration of claims 4-8 and 12-18 on the merits is requested in the next Office Action.

2. Claims 1 and 9 stand objected to because "a input device" and "a user selectable input" allegedly use the indefinite article "a" incorrectly. In response, claims 1 and 9 have been amended to recite -- an input device -- . However, the phrase "a user selectable input" should not be objectionable, as the indefinite article "a" is used correctly, i.e., the general rule is that "a" should be used before words that begin with a consonant sound like "user" and "an" should be used before words that begin with a vowel sound like "input". Thus, no corrections have been made to this phrase. Accordingly, withdrawal of this objection is respectfully urged.

3. It is noted that the application apparently did not contain an abstract of the disclosure as required by 37 CFR 1.72(b). In response, an abstract on a separate sheet is attached at the end of this paper.

4. Claims 19-21 stand rejected under 35 USC 101 because the subject matter contained therein is non-statutory. Additionally, claims 19-21 stand rejected under 35 USC 112, second paragraph, as being indefinite. In response, claims 19-21 have been cancelled. Accordingly, withdrawal of this rejection is respectfully urged.

5. Claims 1-10, 12-14, 16 and 19-21 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,333,255 to Damouth.

It is noted that although the examiner previously indicated that claims 4-8 and 12-18 have not been treated on the merits because of their improper multiple dependencies, claims 4-8, 12-14, and 16 appear to have been considered on the merits anyway, as they are included in this rejection.

In any case, the claims of the present application each require "multi-level screens spaced physically apart." Damouth fails to expressly or inherently describe a visual display system having such a feature. More specifically, Damouth describes in column 3, lines 63-66 an apparatus that displays a plurality of 2-dimensional display regions on a surface of a visual display. Since Damouth fails to expressly or inherently describe each element of the claims, there is no anticipation by Damouth. Accordingly, withdrawal of this rejection is respectfully requested.

6. Claims 7/1-6 and 15/9-14 stand rejected under 35 USC 103(a) as being unpatentable over Damouth in view of U.S. Patent 6,075,531 to DeStefano.

As discussed above, Damouth fails to expressly or inherently describe the limitation of "multi-level screens spaced physically apart," as recited in independent claims 1 and 9. DeStefano fails to cure the deficiencies of Damouth, as DeStefano merely describes a computer system and method for manipulating multiple windows with a proximity pointer. Thus, Damouth in view of DeStefano fail to disclose, teach or suggest a visual display system having multi-level screens spaced physically apart, as claimed in the present invention. Accordingly, Damouth in view of DeStefano fall short of the present invention. For at least this reason, withdrawal of the 35 USC 103 rejection is respectfully requested.

7. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that remaining claims 1-18 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

8. A petition fee for the earlier-mentioned one (1) month extension of time is included herewith. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,



PAUL A. SCHWARZ
Reg. No. 37,577

DUANE MORRIS LLP
100 College Road West, Suite 100
Princeton, New Jersey 08540
Telephone: (609) 919-4408
Facsimile: (609) 919-4401
PTN45317.2